

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MASSACHUSETTS**

IN RE PHARMACEUTICAL INDUSTRY AVERAGE WHOLESALE PRICE LITIGATION	)	MDL No. 1456
	)	
	)	CIVIL ACTION: 01-CV-12257 PBS
THIS DOCUMENT RELATES TO ALL CLASS ACTIONS	)	Judge Patti B. Saris
	)	
	)	

**PLAINTIFFS' MOTION FOR LEAVE TO FILE  
PLAINTIFFS' OPPOSITION TO DEY, INC.'S AND ABBOTT LABORATORIES'  
OBJECTIONS TO CHIEF MAGISTRATE JUDGE BOWLER'S ORDER  
DENYING FURTHER DISCOVERY OF MASSACHUSETTS HEALTH PLANS**

Plaintiffs' respectfully request leave to file an opposition to Defendants Dey, Inc.'s and Abbott Laboratories' Objections to Chief Magistrate Judge Bowler's Order dated February 4, 2006 allowing Plaintiffs' Motions for Protective Orders concerning Subpoenas issued to Tufts Associated Health Plan, Inc., Neighborhood Health Plan, Inc., Fallon Community Health Plan, Inc., and Harvard Pilgrim Health Care, Inc.

Respectfully submitted,

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Dated: March 8, 2006

**CERTIFICATE OF SERVICE**

Docket No. MDL 1456

I, David S. Nalven, hereby certify that I am one of plaintiffs' attorneys and that, on March 8, 2006, I caused copies of this pleading to be served via Lexis/Nexis File Serve on all counsel of record.

/s/ David S. Nalven

Dated: March 8, 2006